

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

MARC J. MURI, individually and on
behalf of all others similarly situated,;

Plaintiff,

vs.

NATIONAL INDEMNITY COMPANY,

Defendant.

8:17CV178

**PROGRESSION ORDER
(AMENDED)**

As requested in the parties' motion, (filing no. 59), which is hereby granted,

IT IS ORDERED that the final progression order is amended as follows:

- 1) The non-jury trial of this case is set to commence before John M. Gerrard, United States District Judge, in the Special Proceedings Courtroom, Roman L. Hruska Federal Courthouse, 111 South 18th Plaza, Omaha, Nebraska, at 9:00 a.m. on July 8, 2019, or as soon thereafter as the case may be called, for a duration of ten (10) trial days. This case is subject to the prior trial of criminal cases and such other civil cases as may be scheduled for trial before this one.
- 2) The Pretrial Conference is scheduled to be held before the undersigned magistrate judge on June 25, 2019 at **11:00 a.m.**, and will be conducted by internet/telephonic conferencing. Counsel shall use the conferencing instructions assigned to this case to participate in the conference. The parties' proposed Pretrial Conference Order and Exhibit List(s) must be emailed to zwart@ned.uscourts.gov, in either Word Perfect or Word format, by 5:00 p.m. on June 21, 2019.
- 3) A status conference to discuss the status of case progression and potential settlement will be held with the undersigned magistrate judge on September 25, 2018 at **10:00 a.m.** by telephone. Counsel shall use the conferencing instructions assigned to this case to participate in the conference.

- 4) The deadline for completing written discovery under Rules 33 through 36 of the Federal Rules of Civil Procedure is December 20, 2018. Motions to compel Rule 33 through 36 discovery must be filed by January 3, 2019
Note: Motions to compel shall not be filed without first contacting the chambers of the undersigned magistrate judge to set a conference for discussing the parties' dispute.
- 5) The deadline for identifying expert witnesses expected to testify at the trial, (both retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(B\)](#)), and non-retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(C\)](#)), is December 13, 2018.
- 6) The deadline for complete expert disclosures for all experts expected to testify at trial, (both retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(B\)](#)), and non-retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(C\)](#)), is January 17, 2019. The deadline for rebuttal expert reports is February 7, 2019
- 7) The deadline for expert depositions is March 7, 2019.
- 8) The deadline for filing motions to dismiss and motions for summary judgment is March 21, 2019.
- 9) The deadline for filing motions to exclude testimony on *Daubert* and related grounds is March 21, 2019.
- 10) All remaining deadlines are unchanged.

September 6, 2018.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge